



January 17, 2012

VIA EMAIL AND CERTIFIED MAIL

Michelle Kerr, Remedial Project Manager
U.S. Environmental Protection Agency -- Region 5
Superfund Division (SR-6)
77 West Jackson Blvd.
Chicago, Illinois 60604-3590

Re: Chemetco Superfund Site -- Hartford, Illinois
CommScope, Inc. -- Response to General Notice Letter dated November 30, 2011
Willingness to Participate in Future Negotiations

Dear Ms. Kerr:

This firm represents CommScope, Inc. ("CommScope") with regard to the above referenced matter. As requested by you during the December 20, 2011 informational meeting, CommScope is giving timely notice of its willingness to participate in future negotiations regarding the Chemetco Superfund Site.

That willingness is conditioned upon review and confirmation that EPA's document package received January 13, 2012 identifies CommScope as a party that arranged for the disposal of hazardous substances, as defined under the Comprehensive Environmental Response, Compensation and Liability Act, at the Chemetco Superfund Site in Hartford, Illinois. CommScope has not yet had an opportunity to review the document package, but is aware of no such documents in its possession despite having conducted a diligent search for such documents in connection with a February 28, 2008 Information Request promulgated by the Illinois Environmental Protection Agency. CommScope understood from the December 20, 2011 informational meeting and subsequent correspondence with EPA that a comprehensive package that includes nexus documents was to be delivered prior to the January 17, 2012 deadline to express a willingness to participate in future negotiations, but appreciates the fact that assembling the nexus package is complex and resulted in the delivery delays. Until CommScope has had an opportunity to review the comprehensive package, however, its willingness to participate in future negotiations regarding the Chemetco Superfund Site must necessarily be limited. Of course, in addition to a showing of a credible liability nexus with the Chemetco Superfund Site, any negotiation by CommScope is also conditional upon the right to assert all factual and legal defenses, and to withdraw from negotiations at any time depending upon its assessment of those factual and legal defenses, and EPA's response, if any, to those defenses.

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Thank you for your attention to this matter. CommScope looks forward to receiving the nexus package as soon as it has been prepared.

Sincerely,

ROBINSON BRADSHAW & HINSON, P.A.



William W. Toole

cc: Thomas Martin, associate regional counsel (MC-14J)
CommScope, Inc.

WWT/tbm